

in re Patent Application of:

SHINKAWA et al

Serial No. 09/970,154

Filed: October 4, 2001

For: METHOD FOR PURIFYING ANTIBODY

Attention: Application Branch

Atty. Dkt. 249-201

Date: June 10, 2002

Assistant Commissioner for Patents  
Washington, D.C. 20231

The attached completes filing of the above-identified patent application:

- ☒ Signed Rule 63 Declaration alone, ☐ Copy of Declaration from prior application alone, OR  
☐ Signed Declaration plus attached copy of originally filed specification/drawings.  
☒ **NOTICE TO FILE MISSING PARTS OF APPLICATION FILING DATE GRANTED** form.  
☒ Record the attached assignment and return to the undersigned.  
☒ Acknowledgement of the applicants claim to domestic priority of Serial No. 60/268,926 is requested.  
☒ Priority is hereby claimed under 35 U.S.C. § 119 based on the following foreign applications:

**Application Number**  
2000-308254

**Country**  
Japan

**Day/Month/Year Filed**  
6 October 2000

respectively.

- ☐ Certified copy(ies) of foreign application(s) is/are attached.  
☐ Certified copy(ies) filed on \_\_\_\_\_ in prior application no. \_\_\_\_\_, filed \_\_\_\_\_.  
☐ Applicant claims "small entity" status. ☐ "Small entity" statement attached.  
☒ Please enter the attached and/or below preliminary amendment prior to calculation of filing fee.  
☒ Also attached: ☐ Information Disclosure Statement; ☐ Nucleotide and/or Amino Acid Sequence  
**Submission; ☒ Other: English translation of specification (43 pages with Abstract and 21 claims) with  
11 sheets of drawings; Declaration re: translation of Mr. Eiichi Kobayashi**

**Fees due are calculated below:**

Basic filing fee					\$	740.00
Total Effective claims	57	- 20 =	37	x \$	18.00	\$ 666.00
Independent claims	8	- 3 =	5	x \$	84.00	\$ 420.00
If any proper multiple dependent claims now added for first time, add \$280.00 (ignore improper)						\$ 280.00
<b>FILING FEE</b>						\$ 2,106.00
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$400.00/2 months; \$920.00/3 months; \$1440.00/4 months)						\$ 1440.00
Surcharge (\$130.00) if Declaration or filing fee first now submitted						\$ 130.00
English translation of specification and claims (\$130.00)						\$ 130.00
<b>FIRST SUBTOTAL</b>						\$ 3,806.00
If "small entity," enter half (1/2) of subtotal and subtract						-\$ 0.00
<b>SECOND SUBTOTAL</b>						\$ 3,806.00
Assignment Recording Fee (\$40.00)						\$ 40.00
<b>TOTAL FEE DUE</b>						\$ 3,846.00
Check enclosed (Pre-Bill)*						\$ 928.00
Check enclosed (non Pre-Bill)*						\$ 2918.00
<b>TOTAL FEE ENCLOSED</b>						\$ 3846.00

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

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**NIXON & VANDERHYE P.C.**  
By Atty: B. J. Sadoff, Reg. No. 36,663

Signature: \_\_\_\_\_

\*For N&V internal accounting purposes

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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D C 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/970,154	10/04/2001	Toyohide Shinkawa	249-201

CONFIRMATION NO. 9598

## FORMALITIES LETTER



\*OC00000007051065\*

NIXON & VANDERHYE P.C.  
8th Floor  
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Arlington, VA 22201

Date Mailed: 11/09/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

06/12/2002 BSAYAS11 00000026 09970154

FILED UNDER 37 CFR 1.53(b)

01 FC:101	740.00 OP
02 FC:102	420.00 OP
03 FC:103	666.00 OP
04 FC:105	130.00 OP
05 FC:139	130.00 OP
06 FC:104	200.00 OP

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate. (See 37 CFR 1.52(d)).
- Applicant must file an English translation of the application, the \$ 130 fee set forth in 37 CFR 1.17(i), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- **The balance due by applicant is \$ 1000.**
- Because your specification was filed in a language other than English, the Office was unable to determine the number of claims submitted. Additional claim fees may be due once the number of claims can be determined.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing figures contain text that is not in English (including, for example, a flow chart)

that was originally not in English that has been marked up to include the English text)  
see 37 CFR 1.84(p)(2) and 37 CFR 1.52(d)(1);

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*A copy of this notice **MUST** be returned with the reply.*

*BH*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE